

1894-082 Chancery Causes: Lilly C. Turner vs. Richard M. Turner  
Lee Co.

Surgeon, Courtney

CA-Divorce

T-Vices

Migration

-Correspondence



Virginia: In the circuit Court of Lee County,  
To the Hon. W. J. Miller, Judge of  
Said Court:

Humbly Complaining, sheweth unto the Court, your  
oratrix, Sally L. Turner, wife of Richard M. Turner,  
that she is now 21 years old; that at the age  
of 17 she left her father's house and married  
the said Richard M. Turner, and since that time  
has been to him a Constant, faithful and du-  
tiful wife, and has borne him two Children,  
to-wit: Mary E., now 3 years old, and  
Almudy, now one year <sup>4</sup> - <sup>mos</sup> old.

Her husband, on the other hand, has been neg-  
ligent, excessively intemperate in drinking  
ardent spirits, and insufferably abusive and  
violent to her, frequently beating and choking  
her, until to preserve her person from vio-  
lence, and perhaps her life then being imminent,  
she has been Compelled to leave her residence  
and seek refuge in her father's house in Lee  
County, Virginia, where she has been over  
one year; that her said husband has been  
living in open adultery for some time and  
takes a pleasure in writing your oratrix  
about his filthy conduct, one of which  
letters is her filed marked "T" and is  
prayed to be taken as part of this bill;  
that your oratrix has not cohabited with



her said husband since she had knowledge  
of his lewd and lascivious conduct; that she  
has her youngest child, and her husband  
has Mary E., her oldest one; that her husband  
has very little property and being grossly  
immoral is not a suitable person to have  
charge of and raise a child—especially a  
a girl.

In tender consideration whereof, &c. To  
the end therefore, &c., your oratory prays  
that the said Richard M. Turner may be made a  
defendant to this bill, and required to render a true,  
and perfect answer to the same, upon his Corporal  
oath; that your oratory be decreed the custody  
of her children; that your oratory may be  
entirely divorced from him, and the marriage  
be dissolved; that he may be compelled to  
deliver up her children to her; that her  
maiden name <sup>Lilly C. Courtney</sup> be restored to her; that  
such other relief be granted as her case  
requires, and to equity may seem meet.  
May the Commonwealth's power of Affairs  
&c., directed &c. And as in duty bound  
your oratory will ever pray.

Orr, Ely & Orr  
Sols.



Brief of Authorities:

Process, W.C. No. 3232.

Witnesses: A. B. Eugene, Mary Ann  
Leontine



Lilly E. Turner

vs. } Bill for Divorce

Richard M. Turner

1894 2<sup>nd</sup> October rules bill  
filed Sumo Executed  
and Decree nisi  
" 1<sup>st</sup> November rules taken  
the last Monday in  
October Decree nisi  
confirmed & Cause set  
for hearing by Plff

November term 1894  
Decree final. See Chy.  
order Book No 4 Page  
177

Plffs costs received  
L 5.17  
att 15.50  
Coc 285  
\$20.42

1890 to 1900

Wm A. Orr Esq.  
Sol.



never  
them  
for the  
gift of

Smell Ferry

August the 11. 1873

My Dear Wife i just have  
got thru reading your letter  
and was glad the way  
you wrote to me you said you  
never expected to live with me  
no more lilly i Dont want  
you to think that i want to  
live with you for i do not But  
i would like to see you and  
the baby But lilly you  
have caused me rang of going  
to Becks and taking up the  
house for i no i am mean  
as hell But they is people a  
damnd little meaner than  
me lilly i wil tel you  
the truth i was at Becks

Best friend Bill Turner (DJ)

~~Bill~~ with me and Albert Turner and was  
Drinking But i dont care  
a Dam what nobody sees  
about it. lilly i have got  
me to Girls Besides Beck  
i was with one of them ever  
Day last week and i sta  
with the other last saturday  
nite and Sunday and  
Sunday nite i had a good  
time i had a half a gallon  
of good whisky and i  
guess You would like to know  
there names so i will tell  
You one is miss Betty and  
and the other is miss Sally  
martain she is as pretty  
as a Blossom and as  
good as ever. Straddled  
a Pat so lilly Dont  
let this bother You darri



Lilly C. Turner Plff.  
vs ~~vs~~ Decree no 1  
R. M. Turner deft.

This cause, in which the plaintiff appears to have proceeded against the defendant, who is out of this Commonwealth, in the mode prescribed by law against absent defendants, and he still failing to appear, and answer. Came on this day, to be heard on the bill the exhibits filed, and ~~examination~~<sup>depositions</sup> of witnesses and was argued by counsel for the plaintiff; on consideration whereof, the Court being of opinion that the charge of adultery against the defendant, is fully proved, doth adjudge order and decree that the marriage hitherto solemnized between Lilly C. Turner and Richard M. Turner be and the same is hereby dissolved the said Lilly C. Turner forever divorced from her Husband, And the defendant R. M. Turner be restrained from ever marrying again. And that the plaintiff have the custody of the two children pursuant to the prayer of her bill, And that the plaintiff recover from the defendant her costs by her expended in the prosecution of this suit And nothing further remaining to be done in this suit, it is ordered that the same be removed from the docket; but leave is reserved to the parties to make application to the Court for such further orders as are authorized by law.



Lilly C. Turner  
no { Deane.  
Richard M. Turner

Entered in Chancery  
Order Book  
Page 77  
                    

Enter this  
M M  
Nov. 13<sup>th</sup> 1894.



1 Virginia, Lee County, to wit.

2 The deposition of A. R. Surgenor taken before the under-  
3 signed Commissioner in chancery of the Circuit Court of  
4 Lee County Va, at the office of Mr. Blankenship & Ewing  
5 on the 5th day of November 1894, which is intended to  
6 be read as evidence in behalf of Lilly Turner in a suit  
7 in chancery pending in the Circuit Court of <sup>said</sup> Lee County  
8 in which said Lilly Turner is plaintiff and R. M.  
9 Turner is defendant.

10 Said witness being duly sworn deposes and says.

11 I am 25 years old, live on Blackwater in Lee County  
12 Va. and am acquainted with the parties to this suit, have  
13 known them about eight years, have lived near them,  
14 I know the fact that they were married or rather that  
15 they lived together as man & wife after I understood  
16 they were married. They have <sup>been</sup> separated something over a  
17 year, I remember that about August 1893, I saw the  
18 defendant at a house of ill fame, and he and a woman  
19 of bad character who lived at that house went out  
20 after night behind the house and remained some 15 or  
21 20 minutes, he had talked to me about going to the place  
22 for purposes of lewdness & sexual intercourse with the  
23 woman residing there. This was not long after their  
24 separation. I had heard of his visiting such places while  
25 he & his said wife were living together but had no  
26 personal knowledge of such conduct until the time  
27 above spoken of.

28 And further this deponent saith yrat.

29 A. R. Surgenor

30  
31 The foregoing deposition of A. R. Surgenor was taken sub-  
32 scrib'd & sworn to before me at the time & place and for the pur-  
poses in the Caption mentioned. Given under my hand, this  
5th 1894.

James W. Orr, Comr in  
Chancery.



Lilly C. Lurmer  
vs. Deke  
Richard M. Lurmer  
Filed for Sch 1894.  
A B Munsey Clk



The depositions of Mary Ann Courtney and others taken before me James B. Orr a Commissioner in Chancery for the Circuit Court of Lu County, Va, pursuant to personal service of the writ in this suit, the same having the effect of an Order of Publication, at the Office of Orr, Ely & Orr, in Jourdsville, Va, between the hours of 7 A.M. and 4 P.M., <sup>OCT 15th 1894</sup> to be read as evidence on behalf of Filly C. Lurmer in a certain suit ~~suit~~ in Chancery, depending in the Circuit Court of Lu County, wherein Filly C. Lurmer is plaintiff, and Richard M. Lurmer is defendant.

Present - Wm A. Orr Esq. & Counsel for Plff

Mary Ann Courtney a witness of lawful age being first duly sworn deposes and says: That she is acquainted with the plaintiff and the defendant to this suit; that the plaintiff is 54 years old and has lived in Lu County, Va, at her house, more than one year; that the plaintiff has not lived with the defendant during that time; that she is the mother of the plaintiff and knows the defendant to be a habitual drunkard; and insufferably cruel and abusive to his wife, often beating her; that



on one occasion the def<sup>t</sup> confessed to the witness that he had beat his wife - the wife was then present and had a knot on her head where she had been struck.

Witness says that she is acquainted with the hand writing of the defendant; that she has examined the letter attached to the Plaintiff's bill and that it is in the hand writing of the defendant; that she is acquainted with Rebecca Mullens whose name is mentioned in said letter and that she is an unchaste woman, having had children out of wedlock; that she is acquainted with the Character for Chastity of Betty Anderson and Sally Martin in the neighborhood where they live, and that such Character is bad. Their names are also mentioned in said letter. The Anderson woman has a child, born out of wedlock.

Witness desires to state that at the time referred to when the Plaintiff was struck on the head that she was in a pregnant condition. The witness here reiterates the foregoing statements in the hand writing of



Wm. J. On one of the Comse l for Plaintiff,  
which reiteration is written by the Comr.  
On one occasion <sup>witness</sup> ~~I~~ saw the defendant with  
an ax in his hand lifted up in a threatening  
manner over her, as though he was going  
to strike her with it, and a man hollered  
at him, calling him by name, and told  
him not to do that, and he then let the ax  
down, and witness went over to where  
they were, and he went into the house and  
came out again, and with his fists drawn  
sware that if it were not for the law  
he would kill her or beat her to death,  
and witness told him he had done enough,  
and he then abused witness. The Plaintiff  
was at this time in a pregnant Condition.  
~~And further this witness saith not.~~

Witness further states that the beating above  
spoken of, of which def<sup>t</sup> admitted to witness,  
was on Sunday Mornning, and the next one  
when he used the ax &c was on Monday,  
and he then had his wagons there ~~loading~~  
and fixing to move and did move his house-  
hold furniture & live stock and left her.

And further this witness saith not.

Mary A Courtney



Virginia Lee County, to wit.

I James W Orr Commissioner in chancery for  
the Circuit Court of said County, do certify that  
the foregoing deposition of Mary A Courtney was  
taken, subscribed and sworn to before me at  
the time and place and for the purposes in the  
caption mentioned. Given under my hand  
the day of October 1894.

James W Orr, Comr. in  
Chancery.

Lilly C. Turner

Dep. Secy

R. W. Turner



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

*S. S. Senger*

*undersigned Court in ch*  
to appear before the ~~Judge~~ of our Circuit Court of Lee County, at the court-house thereof on the *3rd*  
day of *November* 189*4*, to testify and the truth to say in behalf of ~~the~~ *Lilly C*  
*Lurner*

in a certain matter of controversy in our said Court,  
before the said ~~Judge~~ *Court* depending and undetermined between *said Lilly C Lurner*

Plaintiff

and

*R. M. Lurner*

Defendant :

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *29th* day of *Oct* 189*4*, and in the *119th* year of  
the Commonwealth.

*A B Munsey* Clerk.



Lillie L Turner

also {

SUBPENA  
FOR  
WITNESS.

R M Turner

Circuit Court, the 3rd day of

November 1894

Since this is told  
not to come here  
for.

Not Executed hearing  
on way from home  
November 3 day 1894  
H P Arrington DS  
for G E. Blomery  
J. A. C.



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Richard M. Lurner*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *Oct*, 1894, to answer a bill in Chancery, exhibited against *him* in our said court by *Lilly C. Lurner*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *5th* day of *Oct*, 1894, and in the *117* year of the Commonwealth.

*A. B. Munsey* Clerk.  
*L. S. V. Richmond*

*A copy*  
*Lt. J. T. Richmond*



Virginia: In the Clerk's Office of the Circuit Court—  
 I, A. B. Murray, Clerk of the Circuit Court of Lee County,  
 Va, do certify that Thomas M. Sizemore appeared before me  
 in my Office this day and made oath that he is not  
 a party to nor interested in this suit; that the defendant  
 Richard M. Turner is a non-resident of this State;  
 that he ~~has~~ libeled the said Turner a copy of  
 the within ~~Spa~~ in Chy on the 6th day of Oct  
 1894, at the residence of George Limsey in  
 Hancock County, Tennessee—affiant says his  
 sympathies are with his sister-in-law who is the plaintiff.  
 This Oct. 8th 1894. A. B. Murray Clerk

Wm. L. Turner

U.S. }  
 SUBPOENA  
 IN CHANCERY.

Richard M. Turner

Wm. L. Turner  
 p. q.

To Wm. L. Turner (1894) Rules,

Circuit Court.

From  
 Richard M. Turner